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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/019,077	12/26/2001	Jean-Marc Darrieux	216614US6 XPCT	7997
7590	06/28/2004		EXAMINER WANG, GEORGE Y	
Oblon Spivak McClelland Miaier & Neustadt Fourth Floor 1755 Jefferson Davis Highway Arlington, VA 22202			ART UNIT	PAPER NUMBER
			2871	

DATE MAILED: 06/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/019,077	DARRIEUX ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	George Y. Wang	2871	<i>aw</i>

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☒ Claim(s) 3,5 and 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Drawings***

1. Figures 1 and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

2. Claim 1 is objected to because the phrase "more or less" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed. See MPEP § 2173.05(d). Appropriate correction is required. Note: for the purpose of examination, the limitation will not be given any weight.

3. Claim 3 is objected to because of the claim recited the limitation "illumination device." There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required. Note: for the purpose of examination, the limitation will be deemed as having sufficient antecedent basis.

4. Claims 5 and 6 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend on another multiple dependent claim. See MPEP § 608.01(n). However, for the purpose of examination, the claims will be treated on the merits and deemed to be dependent from Claim 1.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admission of Prior Art (AAPA) in view of Owen et al. (U.S. Patent No. 5,450,221, hereinafter "Owen"), and in further view Low (U.S. Patent No. 4,920,799).

7. As per claim 1, AAPA discloses an instrument (fig. 2, ref. 1) contained in a casing (fig. 2, ref. 3), characterized in that it comprises flanges (fig. 2, ref. 4) formed on the instrument casing, behind its anterior face.

However, AAPA fails to specifically disclose an instrument panel with a recess where the cross section of the recess is the same as that of the instrument casing and a means for immobilizing the casing is provided on the recess and on the casing.

Owen discloses an LCD device having an instrument panel (title) with a recess where the cross section of the recess is the same as that of the instrument casing (fig. 1, ref. 40) and a means for immobilizing the casing (fig. 1, ref. 42) is provided on the recess and on the casing.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have an instrument panel with a recess where the cross section of the recess is the same as that of the instrument casing and a means for immobilizing the casing is provided on the recess and on the casing since one of ordinary skill in the art would be motivated to create simple, less bulky arrangements for mounting the LCD readout displays (col. 1, lines 20-33). Optimization of size, illumination, reduced cost, and ease of manufacture can be achieved with an instrument panel of this type of recess. Furthermore, a casing for instruments that are universal could then be mounted

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in a variety of ways (Low, col. 1, line 59 – col. 2, line 12) and for an organized appearance (col. 1, lines 40-45)

8. Regarding claims 2-4 and 6, AAPA discloses the device as recited above, where the flanges are formed at the center of gravity (fig. 2, ref. 2) and the illuminating device has a cross section that is smaller (fig. 2, ref. 2) than its anterior part.

However, the reference fails to specifically disclose that the instrument is an LCD device.

Owen discloses an instrument device that is an LCD (title).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have an LCD instrument since one would be motivated to use already well-known instrument readout devices (col. 1, lines 26-30), such as LCDs because they are compact, lightweight, and particularly advantageous for information displays (col. 1, lines 36-49).

9. As to claim 5, AAPA discloses the instrument device as recited above, however the reference fails to specifically disclose an anterior part of the casing having a surround in which regions for grasping are formed.

Owen discloses an LCD instrument having an anterior part of the casing with a surround (fig. 1, ref. 80) in which regions for grasping are formed.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have an anterior part of the casing having a surround in which

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regions for grasping are formed since one would be motivated to create simple, less bulky arrangements for mounting the LCD readout displays (col. 1, lines 20-33).

Furthermore, a casing for instruments that are universal could then be mounted in a variety of ways (Low, col. 1, line 59 – col. 2, line 12), for an organized appearance (col. 1, lines 40-45), or for interchangeability of various types of instruments (col. 1, lines 21-39).

### ***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Y. Wang whose telephone number is 571-272-2304. The examiner can normally be reached on M-F, 8 am - 4:30 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on 571-272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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gw  
June 23, 2004



**ROBERT H. KIM**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2800**